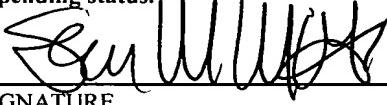


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| FORM PTO-1390 (Modified) (REV. 07-2004) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE | | ATTORNEY'S DOCKET NUMBER 03USFP852-K.F. |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/512139 |
| INTERNATIONAL APPLICATION NO. PCT/JP03/06374 | INTERNATIONAL FILING DATE May 22, 2003 | PRIORITY DATE CLAIMED May 24, 2002 |
| TITLE OF INVENTION ANODE FOR SECONDARY BATTERY AND SECONDARY BATTERY USING THE SAME | | |
| APPLICANT(S) FOR DO/EO/US 1) Hironori YAMAMOTO 2) Yutaka BANNAI 3) Mariko MIYACHI 4) Jiro IRIYAMA 5) Hidemasa KAWAI 6) Masato SIRAKATA Assignee Name: NEC Corporation Assignee Residence: Tokyo, Japan | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</p> <p>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p> | | |
| <p>Items 13 to 23 below concern document(s) or information included:</p> <p>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>15. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>17. <input type="checkbox"/> A substitute specification.</p> <p>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>22. <input type="checkbox"/> Express Mail Label No.</p> <p>23. <input checked="" type="checkbox"/> Other items or information: Form PCT/IB/304 Amendment Under PCT Article 34 Form PCT/IB/308 Form PCT/ISA/210 6 Sheets of Formal Drawings (Figs. 1-12)</p> | | |

| U.S. APPLICATION NO. if known, see 37 CFR 1.59 107312139 | INTERNATIONAL APPLICATION NO. PCT/JP03/06374 | ATTORNEY'S DOCKET NUMBER 03USFP852-K.F. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>24. The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding-right: 10px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO</td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$1110.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO</td> <td style="text-align: right; padding-right: 10px;">\$950.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td style="text-align: right; padding-right: 10px;">\$790.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right; padding-right: 10px;">\$750.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right; padding-right: 10px;">\$100.00</td> </tr> </table> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$950.00</td> </tr> </table> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$130.00</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>24 - 20 =</td> <td>4</td> <td style="text-align: right;">x \$18.00 \$72.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td style="text-align: right;">x \$88.00 \$0.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims (check if applicable).</td> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="2" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS</td> <td style="text-align: right;">=</td> <td style="text-align: right;">\$1,152.00</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$0.00</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;">SUBTOTAL</td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$1,152.00</td> </tr> </table> <p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$0.00</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;">TOTAL NATIONAL FEE</td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$1,152.00</td> </tr> </table> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$0.00</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: right; padding-right: 10px;">TOTAL FEES ENCLOSED</td> <td style="width: 20%; text-align: right; padding-right: 10px;">\$1,152.00</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%; text-align: right;">Amount to be: refunded \$</td> </tr> <tr> <td></td> <td style="text-align: right;">charged \$</td> </tr> </table> | | | <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | \$1110.00 | <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | \$950.00 | <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$790.00 | <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | \$750.00 | <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | \$100.00 | <input type="checkbox"/> | \$950.00 | <input type="checkbox"/> | \$130.00 | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 24 - 20 = | 4 | x \$18.00 \$72.00 | Independent claims | 2 - 3 = | 0 | x \$88.00 \$0.00 | Multiple Dependent Claims (check if applicable). | | <input type="checkbox"/> | \$0.00 | TOTAL OF ABOVE CALCULATIONS | | = | \$1,152.00 | <input type="checkbox"/> | \$0.00 | SUBTOTAL | \$1,152.00 | <input type="checkbox"/> | \$0.00 | TOTAL NATIONAL FEE | \$1,152.00 | <input type="checkbox"/> | \$0.00 | TOTAL FEES ENCLOSED | \$1,152.00 | | Amount to be: refunded \$ | | charged \$ |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | \$1110.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | \$950.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$790.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | \$750.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | \$100.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | \$950.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | \$130.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 24 - 20 = | 4 | x \$18.00 \$72.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 2 - 3 = | 0 | x \$88.00 \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple Dependent Claims (check if applicable). | | <input type="checkbox"/> | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS | | = | \$1,152.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL | \$1,152.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE | \$1,152.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED | \$1,152.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Amount to be: refunded \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | charged \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,152.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0481</u></p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Sean M. McGinn, Esq. Customer No. 21254 McGinn & Gibb, PLLC 8321 Old Courthouse Road Suite 200 Vienna, VA 22182-3817</p> <p style="text-align: right;"> SIGNATURE</p> <p>Sean M. McGinn, Esq. NAME</p> <p>34,386 REGISTRATION NUMBER</p> <p>October 22, 2004 DATE</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |